

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

ROY LE DESMA, Plaintiff;	§	CIVIL ACTION NO. A-13-CV-131-LY
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	§	
	§	
V.	§	
	§	
	§	
R.E. MASSEY, JR., INC. d/b/a SCHLOTZSKY'S DELI OF MARBLE FALLS and ROY E. MASSEY; Defendants.	§	
	§	
	§	
	§	

JOINT MOTION FOR DISMISSAL WITH PREJUDICE

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES, Roy Le Desma, R.E. Massey, Jr., Inc., and Roy E. Massey, all the parties hereto, by and through their respective counsel, and would show the Court the following:

After extensive negotiation, the parties, which were each represented by independent counsel in this adversary proceeding, have settled and compromised any and all causes of action brought or that could have been brought in this lawsuit, including any claims arising under the Fair Labor Standards Act.

The parties, through the undersigned counsel, stipulate and represent that their settlement of Plaintiff's Fair Labor Standards Act claims is a fair and reasonable resolution of a bona fide dispute arising under the Fair Labor Standards Act.

WHEREFORE, PREMISES CONSIDERED, Plaintiff and Defendants jointly move that, in accordance with the agreement of the parties, the above-styled and numbered case be

dismissed with prejudice to its refilling, and that all costs of Court and attorneys' fees shall be borne by the parties incurring those costs.

Respectfully submitted,

/s/ R. Scott Cook

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